

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The amendments to this patent application are as follows. Independent claims 5, 7, 17, 18 and 25 have been cancelled without prejudice and have been rewritten as newly added dependent claims 28, 29, 30, 31 and 32 respectively. Dependent claim 11 has been cancelled without prejudice, and has been rewritten as new independent claim 33 that includes all of the limitations of allowed claim 1. Claim 12 has been revised such that it depends from new claim 33 rather than from cancelled claim 11.

The rejection of claim 11 and 12 under 35 U.S.C. 112 has now been overcome. This is because dependent claim 11 has been cancelled and the subject matter thereof has been included in new independent claim 33. Thus new claim 33 properly includes one or more aggregates being added to the carbon-bearing material and/or binding agent. Withdrawal of this ground of rejection is respectfully requested.

Claims 5, 7, 17, 18 and 25 were rejected under 35 U.S.C. 103 as being unpatentable over DE 4416576. Because each of these

independent claims has been cancelled, and since the subject matter has been presented as dependent claims 28, 29, 30, 31 and 32 respectively that each depends from allowed claim 1, new claims 28 to 32 are believed to be allowable.

Withdrawal of this ground of rejection under 35 U.S.C. 103 is respectfully requested.

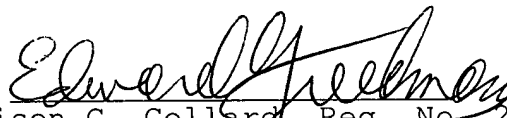
In summary, claims 5, 7, 11, 17, 18 and 25 have been cancelled, and claim 12 has been amended; and new claims 28 to 33 have been added. In view of these amendments, it is firmly believed that the present invention, and all the claims, are now in condition for allowance. A prompt notification of allowability is respectfully requested.

The Commissioner of Patents and Trademarks is hereby authorized to charge any additionally required fee, or to credit any overpayment to Deposit Account No. 03-2468.

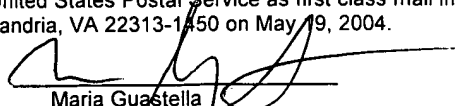
Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: COMMISSIONER OF PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450 on May 19, 2004.


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